IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

WA.No. 1032 of 2007

AGAINST THE ORDER IN WP(C) NO.11277/2007 Dated 02/04/2007

APPELLANT: PETITIONER:

MS. MARIA ANGELA FERNHOF,
CASA DEL FAUNO, MUHAMMA P.O.,
ARYAKKARA, ALAPPUZHA-688 575.

BY ADV. SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN

RESPONDENTS: RESPONDENTS:
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1. THE DISTRICT COLLECTOR, ALAPPUZHA.

2. THE DISTRICT REGISTRAR,
REGISTRATION DEPARTMENT, ALAPPUZHA.

3. THE ASSISTANT GENERAL MANAGER,
RESERVE BANK OF INDIA,
FOREIGN EXCHANGE DEPARTMENT,
POST BOX NO.3065, ERNAKULAM NORTH,
KOCHI-682 018.

4. THE ASSISTANT DIRECTOR OF ENFORCEMENT,
DIRECTORATE OF ENFORCEMENT (FOREIGN EXCHANGE
MANAGEMENT ACT), MINISTRY OF FINANCE,
GOVERNMENT OF INDIA, CGO COMPLEX, C WING,
III FLOOR, POONKULAM, VELLAYANI P.O.,
THIRUVANANTHAPURAM-695 522.

5. THE REGISTRATION OFFICER,
(SUPERINTENDENT OF POLICE), ALAPPUZHA.

BY SRI.P.PARAMESWARAN NAIR, ASSISTANT SOLICITOR GENERAL
SPECIAL GOVERNMENT PLEADER SIR.C.T.RAVIKUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 05/10/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 1032 OF 2007

Dated this the 5th October, 2007

JUDGMENT

H.L.DATTU, C.J.

Aggrieved by an interim order passed by the learned single Judge in W.P. (C) No.11277 of 2007, dated 2.4.2007, the appellant/petitioner is before us in this appeal.

2. This Court on 13.4.2007, while entertaining the Writ Appeal, has modified the interim order passed by the learned single Judge. The modified order reads as under:

> "Interim order passed by the learned single Judge is modified directing to deposit an amount of Rs.5 lakhs before the District Collector and the deposited amount will be kept in fixed deposit."

3. Learned counsel appearing for the appellant, for the present, would submit that he would not press for the relief sought for in the Writ Appeal. However, requests us to retain the interim order passed in the Writ Appeal. In our opinion, the request so made by the learned counsel for the appellant is not only reasonable but also fair. Therefore, the request is granted. Accordingly the following:

O R D E R

i) The Writ Appeal is disposed of.

ii) Interim order passed by this Court will continue till the disposal of the Writ Petition by the learned single Judge.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/